

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA §
 §
v. § CASE NO. 4:24-CR-543-13
 §
MARCEL LETT §

DEFENDANT LETT'S OPPOSED MOTION TO MODIFY BOND

1. Defendant Marcel Lett is charged in Count 2 of the Superseding Indictment with assault in aid of racketeering and in Count 3 with aiding and abetting in the discharge of a firearm in furtherance of an act of violence.
2. A detention hearing was held on February 27, 2025 before Magistrate Judge Bennett and Mr. Lett was released on bond. The conditions of bond included home detention and electronic monitoring.
3. The trial in this case has been reset to May 18, 2026. While Mr. Lett has recently found a job, from now until May 18, 2026, Mr. Lett is essentially confined to his home when not at work. This inactivity has contributed to Mr. Lett being diagnosed with a high cholesterol level. He has been prescribed medication for his high cholesterol, but his Doctor has also prescribed regular exercise. Mr. Lett was in the Marine Corps for 20 years and until his home confinement exercised regularly. Mr. Lett requests that his confinement be modified to allow daily exercise at a local gym, Anytime Fitness, 8703 Broadway St., Pearland, Texas 77583, on a schedule to be approved by his Pretrial Services Officer. Mr. Lett will

remain on electronic monitoring.

4. Mr. Lett does not pose a risk of flight or a danger to the community. He has fully complied with all of the terms of his pre-trial release.

5. On January 12, 2026, undersigned counsel conferred with Assistant United States Attorney Byron Black, who stated he is opposed to the granting of this motion. Additionally, on January 12, 2026, undersigned counsel emailed a copy of this motion to United States Pretrial Services Officer Isabel Davila, requesting her position regarding the granting of this motion. P.O. Davila has not responded.

WHEREFORE, Defendant Lett prays that his bond be modified to allow daily exercise at a gym on a schedule to be approved by his Pretrial Services Officer.

/s/ Richard Kuniansky
RICHARD KUNIANSKY
State Bar No. 11762840
440 Louisiana, Suite 1440
Houston, Texas 77002
Telephone: (713) 622-8333
rkuniansky@gmail.com
ATTORNEY FOR DEFENDANT
MARCEL LETT

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that service of the foregoing MOTION TO MODIFY BOND has this 15th day of January, 2026 been made by electronic means to the following:

Byron Black
Assistant U.S. Attorney
1000 Louisiana, Suite 2300
Houston, Texas 77002

Isabel Davila
U.S. Pretrial Services Officer
515 Rusk, 2nd Floor
Houston, Texas 77002

/s/ Richard Kuniansky
Richard Kuniansky

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ORDER

Defendant Lett's Conditions of Release are modified to allow him to exercise daily at a local gym on a schedule to be approved by his Pretrial Services Officer.

Signed on January ___, 2026 in Houston, Texas.

Honorable Keith P. Ellison
United States District Judge